

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MOTOWN RECORD COMPANY, L.P., *et al.*,

Plaintiffs,

v.

GRANT SONG,

Defendant.

Case No. C06-0236RSL

DEFAULT JUDGMENT AND
PERMANENT INJUNCTION

Having considered plaintiffs' "Application for Entry of Default Judgment by the Court," the additional evidence provided on August 23, 2006, and the remainder of the record, the Court finds as follows:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the six (6) sound recordings listed in Exhibit A to the Complaint (Dkt. #1). Having been adjudicated to be in default (Dkt. #10), defendant is liable to plaintiffs for infringement in the amount of \$4,500.

2. Defendant shall further pay plaintiffs' costs of suit herein in the amount of \$600.

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Father of Mine," on album "So Much for the Afterglow," by artist "Everclear" (SR# 181-328);

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- 1 • “It’s So Hard to Say Goodbye to Yesterday,” on album “Cooleyhighharmony,” by
- 2 artist “Boyz II Men” (SR# 212-333);
- 3 • “Mama Said Knock You Out,” on album “Mama Said Knock You Out,” by artist
- 4 “LL Cool J” (SR# 123-555);
- 5 • “Tearin’ Up My Heart,” on album “*NSYNC,” by artist “N Sync” (SR# 252-748);
- 6 • “Wishing I Was There,” on album “Left on the Middle,” by artist “Natalie
- 7 Imbruglia” (SR# 246-607);
- 8 • “Falling Away from Me,” on album “Issues,” by artist “Korn” (SR# 276-133);

9 and in any other sound recording, whether now in existence or later created, that is owned or
 10 controlled by plaintiffs (or any parent, subsidiary, or affiliate record label of plaintiffs)
 11 (“Plaintiffs’ Recordings”), including without limitation by using the Internet or any online media
 12 distribution system to reproduce (i.e., download) any of Plaintiffs’ Recordings, to distribute (i.e.,
 13 upload) any of Plaintiffs’ Recordings, or to make any of Plaintiffs’ Recordings available for
 14 distribution to the public, except pursuant to a lawful license or with the express authority of
 15 plaintiffs. Defendant also shall destroy all copies of Plaintiffs’ Recordings that defendant has
 16 downloaded onto any computer hard drive or server without plaintiffs’ authorization and shall
 17 destroy all copies of those downloaded recordings transferred onto any physical medium or
 18 device in defendant’s possession, custody, or control.

19 4. The Clerk of Court is directed to enter judgment in favor of plaintiffs and against
 20 defendant.

21 DATED this 12th day of September, 2006.

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25 Robert S. Lasnik
 26 United States District Judge